IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 1103 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/09/2004 in WP No:9459 of 1997 on the file of the High Court.)

Between:

R.Laxman S/o.Vittalaiah
APSRTC Depot of Bheemgal Nizambad Dist.

..... APPELLANT

AND

1 The Presiding officer
Labour Court -II Hyderabad.
2 The Regional Manager
Nizamabad, Nizamabad Dist.
3 The Depot Manager APSRTC
Bhodan, Nizamabad Dist.

.....RESPONDENTS

Counsel for the Appellant : MR.J.KANAKAIAH

Counsel for the Respondent No.1: GOVERNMENT PLEADER FOR LABOUR

Counsel for the Respondent Nos.1 & 2: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court made the following :

JUDGMENT: **(per the Hon'ble Smt.Justice T.Meena Kumari)**

The present Writ Appeal is filed by the appellant-writ petitioner aggrieved by the Order dated 23.09.2004 in Writ Petition No.9459 of 1997 passed by a learned single Judge of this Court.

The said Writ Petition was filed challenging the Award passed by the Labour Court in I.D.No.376 of 1990 dated 19.10.1995 under which the order of removal was set aside and substituted with an alternative punishment of reduction to the lowest rank in the seniority list and fixing the lower stage in the time scale of pay. The learned single Judge after considering the material on record, concurred with the view taken by the Labour Court and dismissed the Writ Petition. Hence, the Writ Appeal.

Perused the impugned order.

Even though the learned single Judge has concurred with the view taken by the Labour Court, we feel it appropriate to modify the order of the learned single Judge to that of restoring the regular scale of pay of the appellant herein from the date of this order. But, however, with regard to the seniority, we do not find any reason to interfere with the orders passed by the Labour Court or by the learned single Judge. However, we make it clear that the appellant shall not claim any arrears of pay.

With the above modification, the Writ Appeal is disposed of. No costs.

(T.MEENA KUMARI, J)

(P.LAKSHMANA REDDY, J)

Dt: 29.06.2005

bsv/lvl

To

1 The Presiding officer
Labour Court -II Hyderabad.
2 The Regional Manager
Nizamabad, Nizamabad Dist.
3 The Depot Manager APSRTC
Bhodan, Nizamabad Dist.

4 Two CCs to the Government Pleader for Labour, High Court of A.P.,

Hyderabad (OUT)

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